



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 15, 2010

Mr. Charles Wolfe.
1420 Fifth Avenue, Suite 2200
Seattle, Washington 98101-1346

Re: Determination of Potentially Liable Person Status

Dear Mr. Wolfe:

On March 5, 2010, the Department of Ecology (Ecology) sent a written notice to Mr. Paul McConkey regarding his proposed status as a potentially liable person (PLP) for a release of hazardous substances at the following site:

- **Site Name:** Old Bremerton Gasworks and Sesko Property
- **Address:** 1725 Pennsylvania Avenue, Bremerton, Washington 98310
- **Kitsap County Assessor's Parcel Numbers:** 3711-000-001-0409, 3711-000-001-0607, 3741-000-022-0101 and the associated impacted aquatic lands
- **Facility /Site Number:** 2641

The 30-day comment period on the preliminary notice expired on April 5, 2010. Based on your letter of April 1, 2010, Ecology understands that you represent Mr. Paul McConkey. Ecology reviewed your information regarding the possible additional PLPs. However, Ecology does not have credible evidence in its files to name any of the entities listed in your letter as PLPs at this time. Ecology reserves its right to name additional PLPs in the future.

Based on the information available to date, Ecology finds that credible evidence exists that supports Mr. Paul McConkey's status as a PLP for the release at the Old Bremerton Gasworks and Sesko Property Site. On the basis of this finding, Ecology has determined that Mr. Paul McConkey is a PLP with regard to the Old Bremerton Gasworks and Sesko Property Site, located at 1725 Pennsylvania Avenue, Bremerton, Washington 98310.

Mr. Paul McConkey's rights and responsibilities as a PLP are outlined in Chapter 70.105D RCW, and Chapter 173-340 WAC. We want to meet with all PLPs to discuss how Ecology intends to proceed with the cleanup at this site. Ecology's site manager for the facility, Panjini

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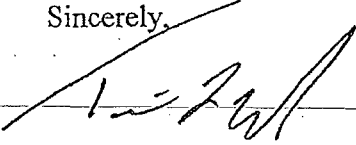


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Balaraju, will contact you and other PLPs to schedule a meeting to discuss the terms of a Model Toxics Control Act (MTCA) agreed order.

If you have any questions regarding this notice, please contact Panjini Balaraju at (360) 407-6161.

Sincerely,



Tim L. Nord, Manager
Land and Aquatic Lands Cleanup Section
Toxics Cleanup Program

Enclosure: Model Toxics Control Act Statute and Regulation

By certified mail 7006 3450 0001 6754 7658

cc: Paul McConkey
Howard Jensen, Tupper Mack Brower PLLC
Natasha Sesko